

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MARYLAND
3 MELVIN NEWSOME, et al. * CIVIL ACTION S01-2257
4 Plaintiffs *
5 vs. Baltimore, Maryland
6 *
7 UP-TO-DATE LAUNDRY, INC, * March 25, 2003
8 et al. *
9 Defendants * * *
10 * * *
11 Deposition of RUDOLPH CURTIS, a witness of
12 lawful age, taken on behalf of the Defendants in the
13 above-entitled cause, pending in the District Court of
14 the United States for the District of Maryland, before
15 Dawn L. Venker, a Notary Public in and for Baltimore
16 County, Maryland, at 7 St. Paul Street, 15th Floor,
17 Baltimore, Maryland 21202, on 25th day of March, 2003.
18 * * * * *
19 APPEARANCES:
20 RICHARD A. SALZMAN, Esquire
21 PHILIP SIMON, Esquire
 For the Plaintiffs
 JEANNE M. PHELAN, Esquire
 For the Defendants
Reported By: Dawn L. Venker

TOWSON REPORTING COMPANY
(410) 828-4148

1 Q How did that happen?

2 A She kept coming to my place of employment
3 and kept asking me. Her and David.

4 Q Did you eventually give her a date?

5 A I don't recall.

6 Q How was it that you actually started
7 working at the plant?

8 A Excuse me? Would you put that in detail?
9 When I first started?

10 Q No. No. No. When you came back in 1999.

11 A I just -- because I was still working at
12 the school. So eventually I was -- I was talking to
13 the employees at Kibby's because I wasn't making too
14 much there, but I was used to working at the laundry.
15 So I just had to go back.

16 Q Who did you talk to to actually go back?

17 A Ms. Stair herself.

18 Q Did she tell you when to report?

19 A No.

20 Q Who was it that told you when to show up
21 for work?

1 A Brad.

2 Q Tell me about the conversation with Brad?

3 A I don't recall exactly how the conversation
4 went, but Brad is the one that placed me in the soil
5 room. And as far as hours, it stayed in the afternoon.
6 Then it was just like whatever time you can get here,
7 that's when you start.

8 Q Your conversation with Brad, was that an
9 in-person conversation, or was that on the telephone?

10 A It was in person.

11 Q Did you go to the plant to see him?

12 A I went to the plant to start work.

13 Q Did you talk with anyone else other than
14 Brad when you went to the plant that day?

15 A No, ma'am.

16 Q What days did you work?

17 A I don't recall.

18 Q Who was your supervisor?

19 A Keith Spriggs.

20 Q And then did you work in the soil room the
21 entire time that you were there?

1 A Yes.

2 Q What kind of work did you do there?

3 A Sorting out bloody linen. Hospital linen
4 with bacteria in it.

5 Q So you were working on the line where it is
6 sorted?

7 A Yes.

8 Q Did you work anywhere else?

9 A I wasn't allowed to. Excuse me.

10 Q When you say you weren't allowed to, what
11 does that mean?

12 A I was confined to the soil room.

13 Q Who told you that?

14 A Brad.

15 Q When did he tell you?

16 A When I started employment at Up-To-Date.

17 Q Did you ask to work anywhere else?

18 A Yes.

19 Q Who did you ask?

20 A Brad.

21 Q When did you ask?

1 A When I was employed there.

2 Q You mean when you started working there?

3 A Yes.

4 Q Did you ask him specifically for another
5 place to work?

6 A Yes.

7 Q What did you ask him?

8 A Excuse me?

9 Q What did you ask him?

10 A Could I work in another part of the
11 laundry?

12 Q And what did he say?

13 A He said, "No, you are going to work in the
14 soil room."

15 Q Was there anymore to that conversation?

16 A No. That I can recall.

17 Q When you left in the evening, is that when
18 the rest of the soil room workers left?

19 A Yes, because we was finished.

20 Q Were you asked to leave before the work in
21 the soil room was finished on any occasion?

1 A Not that I can recall.

2 Q Do you believe that you were discriminated
3 against by not being given additional hours after the
4 soil room work was over?

5 A Yes.

6 Q Tell me why.

7 A I believe I was discriminated against
8 because there was a lot of work out on the flat floor,
9 as far as where the sheets and blankets were. There
10 was a time where I could have helped and get more
11 hours.

12 Q So that's work that was still going on when
13 the soil room work ended at the end of the second
14 shift?

15 A Yes, ma'am.

16 Q Were there other employees working in the
17 soil room who were permitted to go out onto the floor?

18 A Yes, ma'am.

19 Q Who were they?

20 A Some Latinos.

21 Q Who were they?

1 goes.

2 Q Let's talk about decisions. How would you
3 know that there was work available in the flatwork
4 area?

5 A Because I heard Brad say things such as,
6 well, you can go and work here and you can go and work
7 there. And he called me and he said, "You can just go
8 and punch out."

9 Q It is your testimony Brad was there at the
10 end of your shift?

11 A Yes.

12 Q And it is your testimony that Brad told
13 some people to stay and Brad told you to punch out?

14 A Yes, ma'am.

15 Q Who else was it that was to punch out when
16 the shift ended?

17 A I don't recall.

18 Q Did you ever ask Brad why you couldn't
19 stay?

20 A Yes.

21 Q Tell me when that occurred.

1 A I don't recall when it occurred, but it was
2 a lot of times I have asked.

3 Q What did he say?

4 A He said, "Because, hey, other people are
5 here. Other people want to make time and money, so I
6 said punch out. This is my company."

7 Q Were the people who were asked to stay
8 full-time employees?

9 A No.

10 Q How do you know that?

11 A Well, some people I have never seen before,
12 and he said it was the second shift. I was working on
13 the second shift.

14 Q What I'm asking you, though, were they
15 employees who worked the entire shift rather than
16 employees who showed up at some point later on in the
17 shift when they could get there?

18 A I guess it was some. I can't recall
19 exactly.

20 Q Do you know of anyone on this shift who had
21 a schedule like you did where they could just show up

1 Q So you did cuss at him?

2 A He provoked me.

3 Q Mr. Curtis, the question is did you cuss at
4 him?

5 MR. SALZMAN: He is answering your
6 question.

7 A Yes, ma'am.

8 Q Did you have a conversation with Ms. Stair
9 about filing a charge of discrimination?

10 A Yes.

11 Q When did that conversation occur?

12 A I don't recall exactly when -- when it
13 occurred, but she called me into her office. Excuse me
14 if I may. Whenever she had got her letter from the
15 Human Relations was when she called me into the office.

16 Q You don't know when that was though?

17 A I don't know exactly when. She got the
18 paper -- she got the paper, I think, a day or two
19 before you called me in the office to talk about it.

20 Q Why do you think that?

21 A She said, "I see here that you filed

1 something on me because," she said, "you know why you
2 are in my office." I told her, "No, I don't." She
3 pinpoint right there.

4 Q And then who said what?

5 A She asked me how could I think she was
6 prejudiced.

7 Q What did you tell her?

8 A Because she had made a statement saying
9 blacks are drunks and drug addicts and Latinos do not
10 ask for anything. And they do all the work. Blacks
11 don't do anything.

12 Q So you told her about those statements when
13 she asked, "How could you think I was prejudiced?"

14 A Well, she said -- she started it off
15 saying, "Latinos don't ask for anything."

16 Q Mr. Curtis, before it gets too confusing,
17 let's start at the beginning of the conversation.

18 A Yes, ma'am.

19 Q She called you into the office?

20 A Yes, ma'am.

21 Q Let's go through the conversation person by

1 that occasion?

2 A No, ma'am.

3 Q I gather you were in the soil room the
4 entire time?

5 A Yes.

6 Q Do you remember what hours you worked?

7 A It was the same shift. The second shift.

8 Q Second shift. Were you still working
9 part-time at the school?

10 A Yes.

11 Q So you were working the entire second shift
12 at Up-To-Date?

13 A Yes.

14 Q And why was it that you left?

15 A It was one incident. I went out on the
16 truck. Brad asked me go out on the truck with the
17 driver, and when we returned, he asked me what the hell
18 was I doing on the truck and to get my ass in the soil
19 room where I belonged.

20 Q So you are -- you are saying Brad asked you
21 to go out on the truck?

1 A I mean racial slurs, remarks.

2 Q Was there any particular remark that caused
3 you to go?

4 MR. SALZMAN: Are you talking about the
5 second time?

6 MS. PHELAN: The second time.

7 A Yeah. Being called nigger, assholes,
8 mother fuckers, or you can kiss my ass, or that bitch
9 here, that bitch there. Respect don't cost you
10 anything. I think they were very unprofessional in a
11 company.

12 Q We'll go through some of that in detail,
13 but what I'm trying to figure out now, was there any
14 particular event that was kind of the straw that broke
15 the camel's back? The last straw that caused you to
16 leave the second time?

17 A Just seeing certain things. Just seeing
18 different things happen in the company. I couldn't
19 tolerate that.

20 Q Let's go through that in detail then. Tell
21 me what you recall happening.

1 MR. SALZMAN: We have been going for a
2 while. Do you want to take a little break. About an
3 hour and a half?

4 MS. PHELAN: Yeah. If you want to.

5 MR. SALZMAN: Take five minutes.

6 (A recess was taken.)

7 Q Before we took a break, we were starting to
8 talk about -- you indicated that people had made
9 comments that Nancy, Brad -- I don't know if you said
10 David also had made comments?

11 A Yes.

12 Q You want to start and go through the entire
13 list of the things that you heard? So if you want to
14 start -- if it makes sense to start with the first one
15 or to start by person, you tell me how you would like
16 to do it.

17 A Well, one incident I was in the soil room.
18 Brad -- it was a box up on the big ladder thing against
19 the wall. Brad told me to get my monkey ass up there
20 and get the box down, which was uncalled for. I feel
21 was discrimination. David calling niggers.

1 on that day?

2 A If he did, I tried to block it out.

3 Q Did Brad have any other comments that he
4 made that you thought were racial?

5 A "If you guys hurry up and do this, I'll buy
6 you some chicken because I know you black guys love
7 chicken." He thought it was all funny.

8 Q Tell me when that happened.

9 A Still during the first time I was employed
10 there, when I was working the soil room.

11 Q Where was Brad?

12 A Excuse me?

13 Q Where was Brad at that point?

14 A In the soil room.

15 Q Was he working?

16 A Excuse me?

17 Q Was he working?

18 A No. Just back there, just -- just saying
19 whatever he wanted to say to anybody.

20 Q Do you recall if anyone said anything in
21 response to that comment?

1 A I don't recall.

2 Q Did you ever see any of the employees
3 make -- or joke with Brad about him eating chicken?

4 A About?

5 Q Joke with Brad about him eating chicken?

6 A No.

7 Q Did you hear any other comments from Brad
8 that you thought were racial?

9 A He said nigger words a lot.

10 Q What is a lot?

11 A He said it whenever he felt -- he felt like
12 he wanted to say it.

13 Q How often did you hear it?

14 A Anytime I worked at that laundry I heard
15 him say anything like that.

16 Q Every day you worked there?

17 A Not every day. Just about.

18 Q And where did he say these words?

19 A In the soil room.

20 Q Was he talking to anyone in particular?

21 A At one time he was talking to everybody

1 that was working on the line.

2 Q Tell me what you heard on that time.

3 A Tell us if we don't hurry our lazy black
4 asses up and hurry and get this work out, we will all
5 be out of a job.

6 Q Did he use the word nigger?

7 A Certain times.

8 Q Well, on that particular thing --
9 particular comment, you told me he said "lazy black
10 asses"?

11 A Just lazy black asses.

12 Q Did you ever hear anybody else use the word
13 nigger in the plant?

14 A David.

15 Q How about aside from Brad and David, did
16 anybody else use it?

17 A I never heard his mother use it, she just
18 said that blacks that work in the company are nothing
19 but drug addicts and drunks.

20 Q How about other than Brad, Nancy and David,
21 did anybody else in the plant use the word nigger?

1 A Not to my knowledge.

2 Q Never heard it from anybody else?

3 A No, ma'am.

4 Q Never heard any of the black employees use
5 the word nigger?

6 A I could have.

7 Q Do you recall who used it?

8 A No, ma'am.

9 Q Why not?

10 A Because I don't recall who said it. You
11 can hear it a -- a lot of different things.

12 Q Other than the comments you told me about
13 regarding Brad, were there any other comments that you
14 heard Brad make that you thought were racial?

15 A Well, him saying black women just like to
16 suck penises and stuff like that. How they like it in
17 the ass and stuff like that. Excuse my language.

18 Q When did that conversation occur?

19 A Throughout my history at working at
20 Up-To-Date Laundry.

21 Q Throughout all the times you worked there?

1 A Yes, ma'am.

2 Q Was there anyone else present when he said
3 these things?

4 A Different people be around different times,
5 but I don't recall names.

6 Q Do you remember who he was talking about?

7 A No.

8 Q Was he talking specifically to you during
9 these conversations?

10 A Yes.

11 Q What did you say to him?

12 A Told him I wasn't trying to hear it.

13 Q Excuse me?

14 A I told him I wasn't trying to hear it.

15 Q What does that mean?

16 A I didn't want to hear that kind of talk.

17 Q What did he say?

18 A "I don't care what you want to hear. This
19 is my fucking company. I can say what I want to say."

20 Q Did you ever hear him say any other
21 comments that you thought were racial?

1 A I can't remember right now.

2 Q Can you recall hearing Brad make comments
3 you thought were racial during the final time that you
4 worked at Up-To-Date? That time in 1999?

5 A Yes. One incident when I was working in
6 the soil room. He had just got a contract with
7 University -- no, Johns Hopkins Hospital. We was
8 sorting out the linen, and he told us -- said, "You
9 some black lazy mother fuckers, you should have been --
10 had this shit down. I bet if I buy your asses some
11 chicken, all piece of your asses would be finished."

12 Q Do you remember who was there?

13 A It was the second shift. It was a lot of
14 new people there. Yeah, it was a lot of new people
15 there.

16 Q Do you remember any of the people who were
17 there?

18 A Not really. But I remember we bought this
19 pizza. We sat in the break room on our lunch break and
20 was eating the pizza. And they had this dog, Up-To,
21 and Ms. Nancy got upset because we didn't share the

1 pizza with the dog, so she gave the dog the whole
2 pizza. Her and Brad was mumbling something, but what
3 it was, I don't know. But they was angry.

4 Q How did you know they were angry?

5 A Because they were upset. They didn't want
6 to talk to us no more. Then told us to hurry up and
7 eat the fucking pizza and get our asses back to work.

8 Q Who was there?

9 A It was myself and some new employees.

10 Q Who were the other people there?

11 A Melvin Newsome was one guy. I don't recall
12 the other guy's name.

13 Q Did you think that was based on race?

14 A Yes, I do.

15 Q Why was that?

16 A Because it was just blacks working in that
17 area during that time. Only blacks was in the soil
18 room, and the Latinos was out on the main floor.

19 Q The pizza was in the soil room?

20 A No. Brad came back in and told us to hurry
21 up and finish that shit and he was going to buy some

1 Q Let's talk about Nancy. Tell me what
2 comments you recall Nancy making.

3 A I recall Ms. Nancy Stair making a comment
4 when the laundry was on Frederick Avenue, during the
5 ten-minute break, where she said all the blacks is
6 nothing but drug addicts and alcoholics or drunks, and
7 they all walked out. She said the Latinos do all the
8 work. And then she came back. Some people talked to
9 her and she came back and apologized. It took her a
10 long while, but she got on the intercom and said it
11 where it was all over the plant.

12 Q When you said the comment about all blacks
13 are nothing but drug addicts and drunks, that was all
14 made on the intercom?

15 A Yes.

16 Q Did something unusual happen that day to
17 cause that comment?

18 A I don't know what happened. We was just
19 working and she just get up there and said it. I don't
20 think she had no right to even say that.

21 Q Do you remember when this was?

1 Ralph, but I forgot his last name.

2 Q And I gather you weren't present when they
3 talked to her?

4 A No, ma'am.

5 Q But you heard her get on the intercom later
6 and apologize?

7 A Yes.

8 Q What did she say?

9 A She said she apologized for the remarks
10 that were made. That was it.

11 Q Did she say anything other than that?

12 A No. She just went upstairs and stayed
13 upstairs.

14 Q Did you ever hear Nancy make any other
15 comments that you thought were racial?

16 A I thought by her saying that the Latinos
17 work harder than the blacks and the blacks is nothing
18 but drunks and drug addicts, I think that is a strike
19 of discrimination. You are putting down a race for no
20 apparent reason.

21 Q That's the conversation on the intercom

1 that you told me about?

2 A She told me this one-on-one when she had me
3 in the office. She just repeated herself.

4 Q Let's talk about the one-on-one. When did
5 she tell you that?

6 A The time when I had filed this
7 discrimination thing against her.

8 Q And tell me what it is she said.

9 A She asked me how could I believe that she
10 was racist or prejudiced.

11 Q And you said?

12 A I said, "Because I want equal pay, and we
13 work just about the same hours and do the same length
14 of work and I'm not getting equal pay."

15 Q What did she say?

16 A She said she would evaluate me and I would
17 soon -- and that determines if I get the raise.

18 Q And then what did she say?

19 A She said no more about it. I never seen a
20 raise.

21 Q Well, somehow in that conversation I missed

1 A I didn't say anything.

2 Q That was it, that's the end of the
3 conversation?

4 A Yes, I guess that's the end of the
5 conversation.

6 Q Were there any other occasions where you
7 heard Ms. Stair say something that you thought was
8 racial?

9 A I don't know. I can't recall right now.

10 Q And then what about David? What did you
11 ever hear David say that you thought was racial?

12 A David come in the company every day saying
13 racial things. Nigger this. Nigger that. Or mother
14 fucker or Aunt Jemima. Kiss my ass, bitch. Suck my
15 dick. Fuck you and your mama. And if you don't like
16 what I'm saying, I'll have my mom fire you, or Brad
17 will get rid of your ass. We don't fucking need you
18 nigger. Stuff like that.

19 Q How often would he say things like that?

20 A Just about every day.

21 Q Did you ever see how David talked to the

1 Hispanic employees?

2 A David -- I never seen David say something
3 like that to the Hispanic employees.

4 Q Did you ever see how Brad interacted with
5 white employees?

6 A Respectfully.

7 Q How did David interact with white
8 employees?

9 A Respectfully.

10 Q Never saw David get mad at anybody that was
11 white?

12 A No. Yeah. Yes, one time. This guy --
13 this one guy that was in the soil room, David asked him
14 how could he stand working back there with all that
15 blood and all them black niggers.

16 Q Did you ever see how David and Brad
17 interacted?

18 A Yes. They argued with each other
19 constantly. They were intoxicated. Arguing in front
20 of other employees.

21 Q Did they curse each other?

1 A Yes. They fought in the company before. I
2 think twice.

3 Q Did you interact with David for work
4 purposes?

5 A I worked with David a couple times on the
6 truck. He would holler out of the truck when people
7 passing by and say get your black ass out of the way
8 nigger. And stuff like that. He thought it was funny.

9 Q That would be David driving the truck?

10 A Yes.

11 Q And you are working as a helper with him?

12 A Yes.

13 Q If David treated you like this, why did you
14 go back when he asked you to go back?

15 A Like I said, the job was close by me. I
16 didn't have to go far to go to work.

17 Q Did you ever talk with David about it?

18 A Excuse me? In reference to?

19 Q Well, David says come back to work. Didn't
20 you say, "David, why should I come back to work if you
21 call me a nigger and use all these racial terms?"

1 A No. Unh-unh. Unh-unh.

2 Q Why not?

3 A I talked to their mother one time about
4 their attitudes and stuff like that. She said, "You
5 know how they are." It wasn't never anything done
6 about it.

7 Q When did you talk to the mother?

8 A Soon after I had problems with Brad or
9 David. It seemed like it didn't matter.

10 Q Was that during the first time that you
11 were employed there?

12 A First. Second. Third. Fourth.

13 Q So you went to Nancy on various occasions
14 about this?

15 A Yes.

16 Q Did David specifically use racial terms
17 regarding you?

18 A Kunta. Kunta. It's a lot of stuff. David
19 would be saying to anybody, any black -- they feel like
20 he can say what he want to say. He says it.

21 Q What I'm trying to figure out is if he ever

1 said it to you?

2 A Yeah. Racial slurs to me.

3 Q What kinds of things did he say to you?

4 A Get your black ass over here nigger. You
5 little black mother fucker. Oh, kiss my ass. Kiss the
6 head of my dick. I just look at him. I'm not trying
7 to be locked up.

8 Q Excuse me?

9 A I said I'm not trying to get locked up for
10 people using racial slurs or anything like that. That
11 stuff hurts. I'm not ashamed to say that.

12 Q When you say "it hurts," what do you mean?

13 A I mean being called racial names and stuff
14 like that.

15 Q And how did it hurt?

16 A I mean it hurts your pride. I mean people
17 call you discriminating things and think it is funny.
18 You are supposed to accept it and stuff like that, but
19 I like my job, so I was doing my job.

20 Q Between the second time you worked at
21 Up-To-Date and the third, did you work at anywhere

1 Q Did you ever talk with any of the people
2 who worked with the union? The organizers or the reps?

3 A No, ma'am.

4 Q Never ever?

5 A No, ma'am.

6 Q Did you know Laverne Lipscomb?

7 A Excuse me?

8 Q Do you know Laverne Lipscomb?

9 A Yeah. Somebody that worked the laundry.
10 If they still do.

11 Q Did you ever talk with her other than to
12 say hi?

13 A No, ma'am.

14 Q Your answer to interrogatories you indicate
15 that Brad told you that Hispanic employees such as
16 Santos worked harder, then fired you?

17 A Yes.

18 Q Tell me about that.

19 A He said Santos -- Brad said that Santos
20 worked harder than five blacks put together.

21 Q And how did that come up?